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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Raymond R. Price
App. No.: 10/688,239
Filed: October 13, 2003
Title: MASONRY BRICK
Art Unit: 3635
Examiner: C. Nguyen

Confirmation No.: 2470

Docket No.: A45-015-01-US
Customer No: 22,854

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND (IMPROPER CHARGE OF DEPOSIT ACCOUNT)

Sir:

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account No. 13-4300, shown on the statement dated January 3, 2006, for the above-identified

- ☒ application.
☐ patent.

(check the following, if desired, and supply copy of statement)

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

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Date: _____

FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office. OIPE no. 1-571-273-6500


Signature

Barbara E. Huebner

(type or print name of person certifying)

II. FEES CHARGED FOR WHICH REFUND REQUESTED**AMOUNT OF
REFUND
REQUESTED**

| | | |
|-------------------------------------|--|-----------------|
| <input type="checkbox"/> | Filing Fee | _____ |
| <input type="checkbox"/> | Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. § 1.16(e)) and/or | _____ |
| <input type="checkbox"/> | Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e)) | _____ |
| <input checked="" type="checkbox"/> | Extension of time | _____ |
| <input type="checkbox"/> | first month | _____ |
| <input type="checkbox"/> | second month | _____ |
| <input checked="" type="checkbox"/> | third month | <u>\$510.00</u> |
| <input type="checkbox"/> | fourth month | _____ |
| <input type="checkbox"/> | fifth month | _____ |
| <input type="checkbox"/> | Multiply Dependent Claim | _____ |
| <input type="checkbox"/> | Issue fee | _____ |
| <input type="checkbox"/> | Petition fee | _____ |
| <input type="checkbox"/> | Patent maintenance fee | _____ |
| <input type="checkbox"/> | first maintenance fee | _____ |
| <input type="checkbox"/> | second maintenance fee | _____ |
| <input type="checkbox"/> | third maintenance fee | _____ |
| <input type="checkbox"/> | Patent maintenance fee surcharge | _____ |
| <input type="checkbox"/> | Other _____ | _____ |
| | _____ | _____ |
| | _____ | _____ |
| | TOTAL REFUND REQUESTED | <u>\$510.00</u> |

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

In the above mentioned patent application, our Deposit Account No. 13-4300 was inadvertently charged for a 3 Month Extension of Time in the amount of \$510.00 on December 23, 2005. It is respectfully submitted that the applicant paid for the Extension of Time with a check in the amount of \$510.00 in which was cashed by the United States Patent and Trademark Office on December 19, 2005, a copy is attached. Accordingly, the charge for 3 Month Extension of Time is erroneous.

IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 13-4300
☐ refunding payment.

Respectfully submitted,

Alliance Concrete Concepts, Inc.
By its attorneys,

Customer Number 22,854

MOORE, HANSEN & SUMNER
225 South Sixth Street
Suite 4850
Minneapolis, Minnesota 55402
(612) 332-8200

Date January 3, 2006

By:

James R. Hakomaki
James R. Hakomaki
Reg. No. 35,037



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: December 2005
 Deposit Account Number: 134300
 Name: MOORE, HANSEN & SUMNER
 Attention: MARIA A. LIES
 Address: 225 SOUTH SIXTH STREET, SUITE 4850
 City: MINNEAPOLIS
 State: MN
 Zip: 55402
 Country: UNITED STATES OF AMERICA

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|----------|------|--------------------|---------------------------|---------------------|----------------|---------------|
| 12/02 | 1393 | 1939730 | S14-001-04-US | 7205 | \$100.00 | \$2,775.00 |
| 12/02 | 1394 | 1939730 | S14-001-04-US | 7201 | \$400.00 | \$2,375.00 |
| 12/05 | 445 | 2394534 | C5-011-07-US | 7205 | \$100.00 | \$2,275.00 |
| 12/05 | 446 | 2394534 | C5-011-07-US | 7208 | \$200.00 | \$2,075.00 |
| 12/07 | 177 | 11235899 | N24-002-03-US | 8021 | \$40.00 | \$2,035.00 |
| 12/07 | 392 | 78409333 | W6-002-03-US | 7004 | \$150.00 | \$1,885.00 |
| 12/13 | 63 | E-REPLENISHMENT | | 9203 | -\$3,300.00 | \$5,185.00 |
| 12/13 | 72 | 10647086 | 59908.00002 | 2203 | -\$180.00 | \$5,365.00 |
| 12/20 | 249 | 1942785 | F15-003-01-US | 7205 | \$100.00 | \$5,265.00 |
| 12/20 | 250 | 1942785 | F15-003-01-US | 7201 | \$400.00 | \$4,865.00 |
| 12/20 | 1382 | 2302799 | E17-010-01-US | 7205 | \$100.00 | \$4,765.00 |
| 12/20 | 1383 | 2302799 | E17-010-01-US | 7208 | \$200.00 | \$4,565.00 |
| 12/22 | 270 | 5614703 | M18-005-01-00 | 8021 | \$80.00 | \$4,485.00 |
| ***12/23 | 65 | 10688239 | A45-015-01-US | 2253 | \$510.00 | \$3,975.00*** |
| 12/27 | 67 | 11037562 | A20-027-02-US | 8021 | \$40.00 | \$3,935.00 |
| 12/28 | 391 | 78781239 | T26-006-02-US | 7001 | \$325.00 | \$3,610.00 |
| | | START BALANCE. | SUM OF CHARGES | SUM OF REPLENISH | END BALANCE | |
| | | \$2,875.00 | \$2,745.00 | \$3,480.00 | \$3,610.00 | |

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| Check Number | Date Posted | Check Amount | Account Number |
|--------------|-------------|--------------|--|
| 10406 | 12/19/05 | \$510.00 | BUSINESS CASH MANAGEMENT ACCOUNT 000-0777xxx |

| | | | |
|---|--|---|----------------------|
| MOORE, HANSEN & SUMNER PLLP 229 SOUTH SIXTH STREET SUITE 1400 MINNEAPOLIS, MN 55402 TEL: (612) 332-1780 FAX: (612) 332-1760 | | WELLS FARGO BANK, N.A. MINNEAPOLIS, MN 55479 12.1.210 | |
| 12/19/05 | | 10406 | *****510.00 ***** |
| *** FIVE HUNDRED TEN & 00/100 DOLLARS | | | |
| Commissioner for Patents | | | |
| #010406# 0091000319:0000777821# | | #0300051000# | |

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US PATENT & TRADEMARK
OFFICE

Moore, Hansen & Sumner

225 South Sixth Street
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Minneapolis, Minnesota 55402
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Fax (612) 332-1780

Date: January 3, 2006

FACSIMILE TRANSMISSION SHEET

To: OIPE
United States Patent and Trademark Office
Fax. No.: 571-273-6500
From: James R. Hakomaki
Application No.: 10/688,239
Re: Title: MASONRY BRICK
Inventor: Raymond R. Price
Our Docket No. A45-015-01-US
No. of Pages: 6 (including this cover sheet)
Operator: Barbara Salchow
Message: REQUEST FOR REFUND

IF YOU DID NOT RECEIVE ALL THE PAGES OR IF ANY OF THESE PAGES ARE NOT LEGIBLE, PLEASE CONTACT OPERATOR AS SOON AS POSSIBLE.

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OUR PHONE: (612) 332-8200

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PTO/SB/22 (12-04)

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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| PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)</i> | | Docket Number (Optional) A45-015-01-US | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|------------------|--------|-------|--------|--------|----------|--------|----------|--------|----------|----------|---|----|-------|----|-------|----|---------------|----|-------|----|-------|
| Application Number 10/688,239 | | Filed 10/13/2003 | | | | | | | | | | | | | | | | | | | | | | |
| For MASONRY BRICK | | | | | | | | | | | | | | | | | | | | | | | | |
| Art Unit 3635 | | Examiner C. Nguyen | | | | | | | | | | | | | | | | | | | | | | |
| This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. | | | | | | | | | | | | | | | | | | | | | | | | |
| The requested extension and fee are as follows (check time period desired and enter the appropriate fee below): | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1)) <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | <table style="margin: auto;"> <tr> <th style="text-align: left;">Fee</th> <th style="text-align: left;">Small Entity Fee</th> </tr> <tr> <td>\$ 120</td> <td>\$ 60</td> </tr> <tr> <td>\$ 450</td> <td>\$ 225</td> </tr> <tr> <td>\$ 1,020</td> <td>\$ 510</td> </tr> <tr> <td>\$ 1,590</td> <td>\$ 795</td> </tr> <tr> <td>\$ 2,160</td> <td>\$ 1,080</td> </tr> </table> | Fee | Small Entity Fee | \$ 120 | \$ 60 | \$ 450 | \$ 225 | \$ 1,020 | \$ 510 | \$ 1,590 | \$ 795 | \$ 2,160 | \$ 1,080 | <table style="margin: auto;"> <tr><td>\$</td><td>_____</td></tr> <tr><td>\$</td><td>_____</td></tr> <tr><td>\$</td><td><u>510.00</u></td></tr> <tr><td>\$</td><td>_____</td></tr> <tr><td>\$</td><td>_____</td></tr> </table> | \$ | _____ | \$ | _____ | \$ | <u>510.00</u> | \$ | _____ | \$ | _____ |
| Fee | Small Entity Fee | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 120 | \$ 60 | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 450 | \$ 225 | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,020 | \$ 510 | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 1,590 | \$ 795 | | | | | | | | | | | | | | | | | | | | | | | |
| \$ 2,160 | \$ 1,080 | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | _____ | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | _____ | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | <u>510.00</u> | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | _____ | | | | | | | | | | | | | | | | | | | | | | | |
| \$ | _____ | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input checked="" type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>13-4300</u> . I have enclosed a duplicate copy of this sheet. | | | | | | | | | | | | | | | | | | | | | | | | |
| WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | | | | | | | | | | | | | | | | | |
| I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. Registration Number <u>35037</u> <input type="checkbox"/> attorney or agent under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>James R. Hakomaki</u> Signature | | <u>December 9, 2005</u> Date | | | | | | | | | | | | | | | | | | | | | | |
| <u>James R. Hakomaki</u> Typed or printed name | | <u>612-332-8200</u> Telephone Number | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below. | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Total of _____ forms are submitted. | | | | | | | | | | | | | | | | | | | | | | | | |

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

12/23/2005 WABDELRI 00000042 134300 10688239
 01 FC:2E53 510.00 DR
 Adjustment date: 06/20/2006 SIEK80B1
 12/23/2005 WABDELRI 00000042 134300 10688239
 01 FC:2E53 510.00 CR

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